

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION**

ANTHONY GIBSON

PLAINTIFF

VERSUS

CIVIL ACTION NO.: 4:10CV160-WAP-JMV

JEFFREY KILPATRICK, in His Individual  
Capacity

DEFENDANT

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**ORDER DENYING PLAINTIFF'S MOTION  
FOR LEAVE TO FILE SUPPLEMENTAL COMPLAINT**

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Before the court is the plaintiff's Motion to File Supplemental Complaint (# 41), filed October 20, 2011. The plaintiff seeks to file a supplemental complaint to add claims that have arisen since the filing of the original complaint. While the court appreciates that there is no objection to the motion, the court finds that granting the motion would necessitate the entry of new deadlines that would run afoul of the current jury trial setting. Accordingly, the motion is hereby **DENIED** without prejudice to the plaintiff's right to reurge the motion in the event a continuance of the trial is granted.

**SO ORDERED**, this the 15<sup>th</sup> day of November, 2011.

/s/ Jane M. Virden  
U.S. Magistrate Judge